Case 21-70008-JAD Doc 45 Filed 08/04/21 Entered 08/05/21 00:33:54 Desc Imaged IN THE PRIFICATE STROTICE BARAGRIPPICY COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Bankruptcy No. 21-70008-JAD IN RE:

Gregory L. Miller and

Tamara L. Miller, Chapter 13

Debtors

Docket No. 41

FILED Gregory L. Miller and 8/2/21 11:53 am

Tamara L. Miller, CLERK

Movants U.S. BANKRUPTCY

v. COURT - WDPA

M&T Bank, Respondent

Ronda J. Winnecour, Esquire, Chapter 13 Trustee,

Additional Respondent:

INTERIM MORTGAGE MODIFICATION ORDER

On July 28, 2021, the above named Debtors and Respondent M&T Bank ("Creditor") entered into a trial modification (the "Trial Modification"), through the Court's Loss Mitigation Program (LMP), with respect to the FIRST mortgage on the Debtors' residence. The terms of the Trial Modification requires monthly payments in the amount of \$1,020.32 ("Trial Payments") to begin on AUGUST 1, 2021 and to continue in that amount until OCTOBER 1, 2021 (the "Trial Modification Period"). In light of the need for an immediate change in the distribution to the Creditor, the Debtors request the Court to enter this Interim Mortgage Modification Order until a final, permanent modification can be presented to the Court for approval.

AND NOW, this 2nd day of August , 2021, for the foregoing reasons it is hereby **ORDERED**, **ADJUDGED** and **DECREED** that:

The Chapter 13 Trustee is authorized and directed to modify the distributions to (1) the above-named Creditor for the Trial Modification Period. Each Trial Payment shall be made in the Amount of \$1,020.32 for the following months: August 2021, September 2021 and October 2021. Following the Trial Modification Period, the Chapter 13 Trustee shall continue to make distributions in the same amount as the Trial Payments until further Order of Court.

Case 21-70008-JAD Doc 45 Filed 08/04/21 Entered 08/05/21 00:33:54 Desc Imaged Certificate of Notice Page 2 of 4

(2) In the event that a Permanent Modification is reached between the Parties, the

Debtors immediately shall file a Motion to Authorize the Loan Modification in compliance with

W.PA.LBR 9020-6(d).

(3) The LMP Period is extended until fourteen (14) days after the expiration of the

Trial Modification Period. If the Debtors have not filed a Motion to Authorize the Loan Modification

within fourteen (14) days after the expiration of the Trial Modification Period, then the Debtors shall

immediately file and serve either a Motion to Extend the Loss Modification Period pursuant to

W.PA.LBR 9020-5(b) or a Motion to Terminate the Loss Modification Program pursuant to W.PA.LBR

9020-5(c) that sets forth the specific reasons why an agreement was not reached.

(4) Any Party may seek a further hearing regarding the amendment or termination of

this *Order* at any time during the Trial Modification Period by filing an appropriate Motion.

(5) Within three (3) days of entry of this *Order*, Debtors shall serve this *Order*

electronically on the Chapter 13 Trustee at the following email address:

LMP@chapter13trusteewdpa.com and the Debtors shall not be entitled to rely on CM/ECF or United

States Mail for service of this Order on the Chapter 13 Trustee. The Debtors' Certificate of Service

shall reflect service upon the above identified email address.

JEFFERY A. DELLER

UNITED STATES BANKRUPTCY JUDGE

jsf

Case administrator to serve: Debtor(s)

Counsel for Debtor(s)
[Counsel for Creditor]

Ronda J. Winnecour, Esq. Ch 13 Trustee

FILED 8/2/21 11:53 am CLERK U.S. BANKRUPTCY COURT - WDPA

Case 21-70008-JAD Doc 45 Filed 08/04/21 Entered 08/05/21 00:33:54 Desc Imaged Certificate of Notice Page 3 of 4

United States Bankruptcy Court Western District of Pennsylvania

In re: Case No. 21-70008-JAD

Gregory L Miller Chapter 13

Tamara L Miller Debtors

CERTIFICATE OF NOTICE

District/off: 0315-7 User: dpas Page 1 of 2
Date Rcvd: Aug 02, 2021 Form ID: pdf900 Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol Definition

Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS

regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 04, 2021:

Recipi ID Recipient Name and Address

db/jdb + Gregory L Miller, Tamara L Miller, 510 Mease Road, Osceola Mills, PA 16666-8726

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 04, 2021 Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 2, 2021 at the address(es) listed below:

Name Email Address

Brian Nicholas

on behalf of Creditor M&T BANK bnicholas@kmllawgroup.com

Kenneth P. Seitz

on behalf of Debtor Gregory L Miller thedebterasers@aol.com

Kenneth P. Seitz

on behalf of Joint Debtor Tamara L Miller the debterasers@aol.com

Maria Miksich

on behalf of Creditor M&T BANK mmiksich@kmllawgroup.com

Mark G. Claypool

on behalf of Creditor CNB Bank mclaypool@kmgslaw.com

knoxbank@hotmail.com;chartle@kmgslaw.com;aklus@kmgslaw.com

Case 21-70008-JAD Doc 45 Filed 08/04/21 Entered 08/05/21 00:33:54 Desc Imaged Certificate of Notice Page 4 of 4

District/off: 0315-7 User: dpas Page 2 of 2
Date Rcvd: Aug 02, 2021 Form ID: pdf900 Total Noticed: 1

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13 trusteewdpa.com

TOTAL: 7